

**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459**

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: CO-120-2007-20-DNA

PROJECT NAME: Renewal of livestock grazing permit # 051905 for Randy Baumgardner

LEGAL DESCRIPTION: The BLM lands in allotments # 07527 (Sheriff B) and # 07579 (Sinkovitz) include all or part of the following:

Allotment # 07527 (Sheriff B):	T2N, R77W, 6 th PM Sections: 18, 19, 30
	T2N, R78W, 6 th PM Sections: 12, 13, 14, 15, 22, 23, 24, 25, 26, 35, 36
Allotment # 07579 (Sinkovitz)	Smith Gulch T2N, R77W, 6 th PM Sections: 4, 5, 6, 8, 9, 10, 15, 16, 17, 20, 21, 22, 27, 28
	South Sinkovitz T1N, R77W, 6 th PM Sections: 4, 5
	T2N, R77W, 6 th PM Sections: 28, 32, 33

APPLICANT: Randy Baumgardner

DESCRIPTION OF PROPOSED ACTION: The Proposed Action would renew the base property lease and livestock grazing permit # 051905 between Randy Baumgardner and Chimney Rock Ranch. The lease includes the livestock grazing on BLM allotments # 07527 (Sheriff B) and # 07579 (Sinkovitz). The lease is a continuing lease that renews automatically at the end of each calendar year unless cancelled by one of the parties. Therefore, the term of the new BLM livestock grazing permit would be valid until 2013 when the current National Environmental Policy Act (NEPA) analysis expires.

Livestock grazing permit # 051905 authorizes livestock grazing on allotments # 07527 (Sheriff B) and # 07579 (Sinkovitz) to the following extent:

Allotment	Active AUMs*	Suspended AUMs	Total AUMs
07527 Sheriff B	470	0	470
07579 Sinkovitz	345	0	345

* AUM = animal unit month = the amount forage needed to support one cow and calf for one month

No changes would be made to the number or kind of livestock, season of use, or number of AUMs as a result of this permit renewal.

BLM livestock grazing permit # 051905 would authorize:

Allotment	Pasture	Number of Livestock	Kind of Livestock	Grazing Season Begin	Grazing Season End	% Public Land	Type of Use	AUMs
07527 Sheriff B		117	Cattle	06/01	09/30	100	Active	469
07579 Sinkovitz	Smith Gulch	69	Cattle	06/01	09/15	100	Active	243
07579 Sinkovitz	South Sinkovitz	33	Cattle	06/01	09/02	100	Active	102

LAND USE PLAN (LUP) CONFORMANCE REVIEW: The Proposed Action is subject to the following plan:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

☒ The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

Decision Language: Objectives of the RMP/ROD include allocation of a base level of livestock forage and maintaining or improving forage production and condition in areas where livestock grazing is a priority or compatible with the land use priority (Section 4, Page 7). The public lands associated with this livestock grazing permit are designated with a priority for livestock grazing and forest products.

REVIEW OF EXISTING NEPA DOCUMENTS:

List by name and date all existing NEPA documents that cover the Proposed Action.

Name of Document: CO-120-2004-04-EA

Date Approved: 4/21/04

NEPA Adequacy Criteria	Yes	No
<p>1. Is the Proposed Action substantially the same action and at the site specifically analyzed in an existing document?</p> <p>Explanation: No changes would be made to the number and kind of livestock, season of use, or number of AUMs with implementation of the Proposed Action. The allotments are the same as those analyzed for CO-120-2004-04-EA.</p>	X	
<p>2. Was a reasonable range of alternatives to the Proposed Action analyzed in the existing NEPA document(s), and does that range and analysis appropriately consider current environmental concerns, interests, and resource values?</p> <p>Explanation: The original NEPA document (CO-120-2004-04-EA) analyzed a reasonable range of alternatives. No comments were received at that time. The same conditions currently exist on allotments # 07527 (Sheriff B) and # 07579 (Sinkovitz).</p>	X	
<p>3. Does the information or circumstances upon which the existing NEPA document(s) are based remain valid and germane to the Proposed Action? Is the analysis still valid in light of new studies or resource assessment information?</p> <p>Explanation: There is no new information or circumstances and the existing analysis remains valid.</p>	X	
<p>4. Does the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the Proposed Action?</p> <p>Explanation: The methodology and analytical approach continues to be appropriate for the Proposed Action. No changes would be made to the livestock grazing system with implementation of the Proposed Action.</p>	X	
<p>5. Are the direct and indirect impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document?</p> <p>Explanation: All impacts would be the same as the current conditions</p>	X	

because no changes would be implemented with approval of the Proposed Action.		
<p>6. Are the cumulative impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document(s)?</p> <p>Explanation: The cumulative impacts would remain the same because no changes would be implemented with approval of the Proposed Action.</p>	X	
<p>7. Is the public involvement and interagency review associated with the existing NEPA document(s) adequate for the Proposed Action?</p> <p>Explanation: The public has not expressed any concerns with the livestock grazing system that is in effect on allotments # 07527 (Sheriff B) and # 07279 (Sinkovitz).</p>	X	

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Review Completed
Richard Johnson	Rangeland Management Specialist	Range	2/14/07
Renee Straub	Nat. Res. Spec.	Visual Resources	2/20/07
John Monkouski	Outdoor Recreation Planner	Wilderness, Noise, Access/Transportation, Recreation	2/28/07
Megan McGuire	Wildlife Biologist	Wildlife, T&E species, Migratory birds	3/6/07
Paula Belcher	Hydrologist	Soil, Water, Air, Riparian Programs	3/19/07
Joe Stout	Planning and Environmental Coordinator	NEPA Compliance, Cultural Resources, and Native American Religious Concerns	4/23/07

REMARKS:

Cultural Resources: Since there would little to no ground disturbance, there would be no impacts to cultural resources or Native American Religious Concerns.

Threatened and Endangered Species: The proposed action would not impact Threatened or Endangered Species.

Visual Resources: Allotment # 07527 is approx. 65% Class II, 2% Class III and 33% Class IV, Allotment # 07579 is approx. 60% Class II and 40% Class IV. The proposed project area is located in an area classified as VRM Class II in the KRO 1984 Resource Management Plan. The objective of VRM Class II is to retain the existing characteristic landscape. The level of change in any of the basic landscape elements (line, form, color, texture) due to management activities should be low and not evident.

Riparian Zones/Water Quality: The 2004 permit renewal's environmental documentation recommended riparian and stream monitoring prior to the 2006 renewal (CO-120-2004-04 EA). This was, in part, due to the inconsistent use of the allotments and the difficulty in assessing the Proposed Action's impact. Water quality sampling has been limited due to budgets, but riparian monitoring has shown fairly high utilization on some stream segments (i.e. the upper portion of Kinney Creek in October, 2004). The Colorado Natural Heritage Program evaluated the lower portion of Kinney Creek in July, 2005. They rated the stream segment as Functioning at Risk-Downward Trend. This rating was primarily due to many upland species and exotics invading the floodplain. They concluded this was due to private land owner's impacts to the creek and the livestock utilization levels on BLM. Continued monitoring is recommended, not only to insure compliance to the grazing system, but to also help determine if the system maintains or improves riparian conditions.

MITIGATION:

COMPLIANCE PLAN (optional): Compliance with the renewed livestock grazing permit # 051905 and its associated terms and conditions would be accomplished through the Kremmling Field Office Range Management Program. Livestock grazing would be monitored by the range staff and other BLM personnel, as appropriate, to ensure compliance. The Kremmling Field Office Range Monitoring Plan would be used to schedule periodic utilization checks, collect trend data, and evaluate allotment conditions. When activity plans have been developed covering these allotments, the monitoring methods and schedules included in them would be applied to the allotments. Changes would be made to the permit, based on monitoring, when changes are determined necessary to further protect land health.

NAME OF PREPARER: Richard Johnson

NAME OF ENVIRONMENTAL COORDINATOR: Joe Stout

DATE: 4/23/07

ATTACHMENTS:

- 1). Project Map
- 2). Livestock Grazing Permit # 051905
- 3). Rotation Grazing Plan

CONCLUSION

CO-120-2007-20-DNA

Based on the review documented above, I conclude that this proposal conforms to the land use plan and that the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

SIGNATURE OF RESPONSIBLE OFFICIAL: /s/ Charles Cesar

DATE SIGNED: 4/23/07

Note: The signed Conclusion on this worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.